

CITY OF TIGARD, OREGON

ORDINANCE NO. 05- 01

AN ORDINANCE AMENDING THE LANGUAGE OF THE TIGARD COMPREHENSIVE PLAN, CHAPTER 3, NATURAL FEATURES AND OPEN SPACE, VOLUME II AND THE TIGARD COMMUNITY DEVELOPMENT CODE CHAPTER 18.775 BY REVISING REFERENCES TO THE UPDATED FEMA FLOOD INSURANCE STUDY (FIS) AND FLOOD INSURANCE RATE MAP (FIRM), EFFECTIVE FEBRUARY 18, 2005, AND REGULATING RECREATIONAL VEHICLES IN THE FLOODPLAIN (CPA2004-00003/ZOA2004-00002), AND DECLARING AN EMERGENCY.

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WHEREAS, the Federal Emergency Management Agency (FEMA) requires the Tigard City Council, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt floodplain management regulations that meet NFIP standards; and

WHEREAS, notice was provided to the Department of Land Conservation and Development 45 days prior to the first scheduled public hearing; and

WHEREAS, the Tigard Planning Commission held a public hearing on December 20, 2004 and recommended approval of the proposed amendments by motion with a majority vote in favor and one abstention; and

WHEREAS, the Tigard City Council determined that the proposed language adequately addressed concerns regarding the FEMA request; and

WHEREAS, the City Council has considered the applicable Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197; any federal or state statutes or regulations found applicable; any applicable Metro regulations; any applicable Comprehensive Plan Policies; and any applicable provisions of the City's implementing ordinances; and

WHEREAS, the City Council has found the following to be the only applicable review criteria: Community Development Code Chapters 18.380, 18.390 and 18.775; Comprehensive Plan Policies 1.1.1, 2.1.1, 2.1.2, and 3.2; The Metro 2040 Plan; and Statewide Planning Goals 1, 2, and 7; and

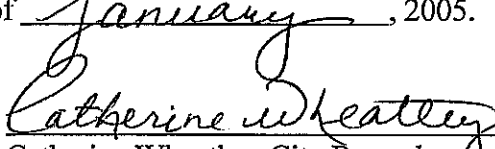
WHEREAS, the City Council has determined that the proposed plan and zone ordinance amendments are consistent with the applicable review criteria and that approving the request would be in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:


SECTION 1:       The specific text amendments attached as "**EXHIBIT A**" to this Ordinance are hereby adopted and approved by the City Council.

SECTION 2: Council finds adoption of this ordinance is necessary for the peace, health and safety of the City; therefore, this ordinance shall take effect immediately upon passage.

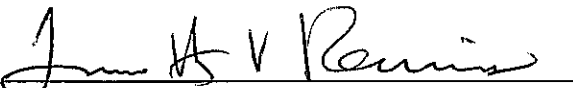
PASSED: By UNANIMOUS vote of all Council members present after being read by number and title only, this 25<sup>th</sup> day of January, 2005.

  
Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 25<sup>th</sup> day of January, 2005.

  
Craig Dirksen, Mayor

Approved as to form:

  
City Attorney

1.25.05  
Date

CPA2004-00003/ZOA2004-00002

# PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN AND THE TIGARD DEVELOPMENT CODE, INCORPORATING REVISED FEMA REQUIREMENTS.

DELETIONS indicated by ~~STRIKEOUT~~.ADDITIONS indicated by **BOLD and UNDERLINE**

## PROPOSED COMPREHENSIVE PLAN TEXT CHANGES:

### Chapter 3, NATURAL FEATURES AND OPEN SPACE

#### Section 3.2, FLOODPLAINS (as referenced in the text by asterisks)

\*The Floodplain and Floodway, as defined by the Flood Insurance Study for the City of Tigard dated September 1, 1981 **effective February 18, 2005.**

## PROPOSED DEVELOPMENT CODE TEXT CHANGES:

### Chapter 18.775 SENSITIVE LANDS

#### Section 18.775.010 Purpose

- B. Implement comprehensive plan and floodplain management program. The regulations of this chapter are intended to implement the comprehensive plan and the city's flood plain management program as required by the National Flood Insurance Program, and help to preserve natural sensitive land areas from encroaching use and to maintain the ~~September 1981 and, where revised, the March 20, 2000,~~ **February 18, 2005** zero-foot rise floodway elevation.

#### 18.775.040 General Provisions for Floodplain Areas

- B. Special flood hazard. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled The Flood Insurance Study of the City of Tigard, dated September 1, 1981 **effective February 18, 2005**, with accompanying Flood Insurance ~~Rate Maps~~ **effective February 18, 2005** (updated February 1984) is hereby adopted by reference and declared to be a part of this chapter, ~~except where revised by the Fanno Creek Watershed Flood Insurance Restudy; Final 100 Year Floodplain, Zero Rise Floodway, and Base Map Elevations; City of Tigard, March 20, 2000., which also is hereby adopted by reference and declared to be part of this chapter.~~ This Flood Insurance Study is on file at the Tigard Civic Center.

#### **O. Recreational Vehicles. Recreational Vehicles placed on sites within Zones A1-A30, AH, and AE on the community's FIRM either:**

- (i) **Be on the site for fewer than 180 consecutive days,**
- (ii) **Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or**
- (iii) **Meet the requirements of E, F, I and L above and the elevation and anchoring requirements for manufactured homes.**